



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 1646

In re

Patent Application of

Byron E. Anderson

Application No. 10/612,298

Confirmation No.: 5133

Filed: July 2, 2003

Examiner: Thomas Sweeney Heard

"PEPTIDES COMPRISING AROMATIC D-
AMINO ACIDS AND METHODS OF USE"

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR §1.97(c)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner's attention is directed to the references which are listed on the attached Form PTO/SB/08A and PTO/SB/08B and copies of non-U.S. patent references are attached. This Statement is also being accompanied by a check in payment of the \$180.00 fee required under 37 CFR §1.17(p). Please charge or credit Deposit Account No. 50-0842 with any shortage or overpayment of the required fee.

Citation of these references is respectfully requested.

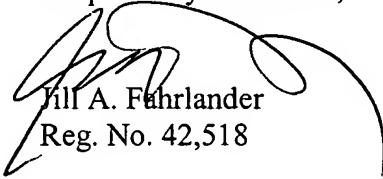
04/12/2006 WASFAW1 00000013 10612298

01 FC:1806

180.00 0P

No concession is made that these documents are prior art, and Applicant expressly reserves the right to antedate the documents as may be appropriate.

Respectfully submitted,



Jill A. Fahrlander
Reg. No. 42,518

File No. 093073-9001 US01

Michael Best & Friedrich LLP
One South Pinckney Street
P. O. Box 1806
Madison, WI 53701-1806
608.257.3501

| Substitute for form 1449/PTO APR 11 2008 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Complete if Known | | |
|---|--|-----------------------------|---|---------------------------------------|
| | | Application Number | 10/612,298 | |
| | | Filing Date | July 2, 2003 | |
| | | First named Inventor | Byron E. Anderson | |
| | | Group Art Unit | 1646 | |
| | | Examiner name | Thomas Sweeney Heard | |
| | | Attorney Docket Number | 093073-9001 US01 | |
| U.S. Patent Documents | | | | |
| Examiner Initials | | U.S. Patent Document Number | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document |
| | | 5,753,628 | Heavner et al. | 5/19/1998 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials | Country Code | Foreign Patent Document Number | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document | Translation | English Abstract |
|-------------------|--------------|--------------------------------|---|---------------------------------------|-------------|------------------|
| | JP | 07-188282 A | Suetsuna Yoko | 5/27/1995 | Y | Y |
| | WO | 92/04371 | Ferring Peptide Research Partnership KB | 3/19/1992 | | |
| | WO | 97/13522 | Gryphon Sciences | 4/17/1997 | | |
| | WO | 00/62791 | Hisamitsu Pharmaceutical Co., Inc. et al. | 10/26/2000 | | |
| | WO | 01/11360 | Institut fur Diagnostik-Forschung GmbH an der Freien Universitat Berlin | 2/15/2001 | | Y |

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 0231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB number.

| <p>Substitute for form 1449B/PTO</p> <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(use as many sheets as necessary)</p> | | | | <i>Complete if Known</i> | |
|--|---|----|---|--------------------------|----------------------|
| | | | | Application Number | 10/612,298 |
| | | | | Filing Date | July 2, 2003 |
| | | | | First Named Inventor | Byron E. Anderson |
| | | | | Group Art Unit | 1646 |
| | | | | Examiner Name | Thomas Sweeney Heard |
| Sheet | 1 | of | 4 | Attorney Docket Number | 093073-9001 US01 |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | | | | | |
|--|--|---|--|--|--|
| Examiner Initials | | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published. | | | |
| | | ALLURED, V.S. et al., "Structure of exotoxin A of pseudomonas aeruginosa at 3.0-Angstrom resolution," Proc. Natl. Acad. Sci (1986) 83:1320-1324 | | | |
| | | APPELLA, D.H. et al., "Residue-based control of helix shape in beta-peptide oligomers," Nature (1997) 387(6631):381-384 | | | |
| . | | CHOE, S. et al., "The crystal structure of diphtheria toxin," Nature (1992) 357:216-222 | | | |
| . | | COOK, C.L. et al., "Simple purification methods for an alpha-Galactose-specific antibody from chicken eggs," J. Biosci. & Bioeng. (2001) 91(3):305-310 | | | |
| | | CRAIG, C. and STITZEL, R. eds., Modern Pharmacology, Little, Brown & Co., Boston (1986) 127-133 | | | |
| | | ELLIOTT, J.L. et al., "A quantitative study of the interactions of bacillus anthracis edema factor and lethal factor with activated protective antigen," Biochemistry (2000) 39:6706-6713 | | | |
| | | ENDO, Y. et al., "The RNA N-glycosidase activity of ricin A-chain," J. Biol. Chem. (1988) 263:8735-8739 | | | |
| | | FRYER, J.P. et al., "IgY antiporcine endothelial cell antibodies effectively block human antiporcine xenoantibody binding," Xenotransplantation (1999) 56:98-109 | | | |
| | | GALILI, U., "The alpha-gal epitope (Galalpha1-3Galbeta1-4GlcNAc-R) in xenotransplantation," Biochimie (2001) 83:557-563 | | | |

| | |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.
 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

| <p>Substitute for form 1449B/PTO</p> <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(use as many sheets as necessary)</p> | | | | <i>Complete if Known</i> | |
|--|---|----|---|--------------------------|----------------------|
| | | | | Application Number | 10/612,298 |
| | | | | Filing Date | July 2, 2003 |
| | | | | First Named Inventor | Byron E. Anderson |
| | | | | Group Art Unit | 1646 |
| | | | | Examiner Name | Thomas Sweeney Heard |
| Sheet | 2 | of | 4 | Attorney Docket Number | 093073-9001 US01 |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | | | | | |
|--|--|---|--|--|--|
| Examiner Initials | | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published. | | | |
| | | HALLORAN, M.M. et al., "Ley/H: an endothelial-selective, cytokine-inducible, angiogenic mediator," <i>J. Immunol.</i> (2000) 164:4868-4877 | | | |
| | | KADLEC, R.P. et al., "Biological Weapons Control. Prospects and Implications for the Future," <i>J. Am. Med. Assoc.</i> (1997) 278(5):351-356 | | | |
| | | KRUSZYNSKI, M. et al., "Identification of TNF-alpha binding peptides from a D-amino acid hexapeptide library that specifically inhibit TNF-alpha binding to recombinant p55 receptor," <i>Cytokine</i> (1999) 11(1):37-44 | | | |
| | | LADUCA, J.R. et al., "Targeting tumor necrosis factor alpha. New drugs used to modulate inflammatory diseases," <i>Dermatologic Clinics</i> (2001) 19:617-635 | | | |
| | | LEBL, M. et al., "One-bead-one-structure combinatorial libraries," <i>Biopolymers (Peptide Science)</i> (1995) 37:177-198 | | | |
| | | LETTERIO, J.J., "Murine models define the role of TGF-beta as a master regulator of immune cell function," <i>Cytokine & Growth Factor Reviews</i> (2000) 11:81-87 | | | |
| | | LORD, J.M. et al., "Ribosome inactivating proteins of plants," <i>Semin. Cell Biol.</i> (1991) 2:15-22 | | | |
| | | MASSAGUE, J., "How cells read TGF-beta signals," <i>Nature Review Mol. Cell Biol.</i> (2000) 1:169-178 | | | |
| | | MILNE, J.C. et al., "Anthrax protective antigen forms oligomers during intoxication of mammalian cells," <i>J. Biol. Chem.</i> (1994) 269(32):20607-20612 | | | |

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

| <p>Substitute for form 1449B/PTO</p> <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(use as many sheets as necessary)</p> | | | | <i>Complete if Known</i> | |
|--|---|----|---|--------------------------|----------------------|
| | | | | Application Number | 10/612,298 |
| | | | | Filing Date | July 2, 2003 |
| | | | | First Named Inventor | Byron E. Anderson |
| | | | | Group Art Unit | 1646 |
| | | | | Examiner Name | Thomas Sweeney Heard |
| Sheet | 3 | of | 4 | Attorney Docket Number | 093073-9001 US01 |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | | | | | |
|--|--|---|--|--|--|
| Examiner Initials | | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published. | | | |
| | | MOBERG,L.J. et al., "Affinity chromatography purification of type A botulinum neurotoxin from crystalline toxic complex," Appl. Environ. Microbiol. (1987) 35(5):878-880 | | | |
| | | MURPHY, L.A. et al., "Five alpha-D-galactopyranosyl-binding isolectins from bandeiraea simplicifolia seeds," J. Biol. Chem. (1977) 252:4739-4742 | | | |
| | | PINILLA, C. et al., "All-D peptides recognized by an anti-carbohydrate antibody identified from a positional scanning library," J. Mol. Biol. (1998) 283:1013-1025 | | | |
| . | | Remington's Pharmaceutical Sciences, 18th Edition, Mack Pub. Co., Easton, PA (1990) | | | |
| | | SHAPIRO, R.E. et al., "Identification of a ganglioside recognition domain of tetanus toxin using a novel ganglioside photoaffinity ligand," J. Biol. Chem. (1997) 272(48):30380-30386 | | | |
| | | SPEIGHT, T, ed., Avery's Drug Treatment: Principles and Practice of Clinical Pharmacology and Therapeutics, 3rd ed. Williams and Wilkins, Baltimore (1987) 50-56 | | | |
| | | SPILKER, B., Guide to Clinical Studies and Developing Protocols, Raven Press Books, Ltd., New York (1984) 7-13, 54-60 | | | |
| | | SPILKER, B., Guide to Clinical Trials, Raven Press, Ltd., New York, (1991) 93-101 | | | |
| | | SZEKANEZ, Z. et al., "Chemokines and angiogenesis," Current Opinion in Rheumatology (2001) 13(3):202-208 | | | |

| Examiner Signature | Date Considered |
|--------------------|-----------------|
| | |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB number.

| | | | | | |
|---|---|----|---|--------------------------|----------------------|
| <p>Substitute for form 1449B/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p> | | | | <i>Complete if Known</i> | |
| | | | | Application Number | 10/612,298 |
| | | | | Filing Date | July 2, 2003 |
| | | | | First Named Inventor | Byron E. Anderson |
| | | | | Group Art Unit | 1646 |
| | | | | Examiner Name | Thomas Sweeney Heard |
| Sheet | 4 | of | 4 | Attorney Docket Number | 093073-9001 US01 |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | | | | | |
|---|--|--|--|--|--|
| Examiner Initials | | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published. | | | |
| | | TALLARIDA, R. et al., Principles in General Pharmacology, Springer-Verlag, New York, (1988) 18-20 | | | |
| | | TAYLOR, P.C., "Anti-tumor necrosis factor therapies," Current Opinion in Rheumatology (2001) 13(3):164-169 | | | |
| | | TSE, C.K. et al., "Preparation and characterisation of homogeneous neurotoxin type A from clostridium botulinum," Eur. J. Biochem. (1982) 122:493-500 | | | |
| | | WADE, D. et al., "All-D amino acid-containing channel-forming antibiotic peptides," Proc. Natl. Acad. Sci, USA (1990) 87:4761-4765 | | | |

| | |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.